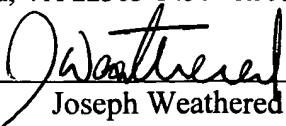


### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: "Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on July 12, 2004.

  
\_\_\_\_\_  
Joseph Weathered

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : PESTONE, William J.

APPLICATION NO. : 10/783,541

DATE FILED : February 20, 2004

FOR : Magnet Sweep

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Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### SUBMISSION OF DECLARATION AND POWER OF ATTORNEY UNDER 37 C.F.R. §§1.53 AND 1.63

SIR:

In response to a Notice to File Missing Parts of Nonprovisional Application, dated January 6, 2003, enclosed herewith please find a Declaration and Power of Attorney, duly executed by the inventor in the above-identified application. Also enclosed is a copy of the Notice to File Missing Parts.

A check in the amount of One-Hundred-and-Thirty Dollars (\$130.00) in payment of the

RNS L25-002  
10/783,541

surcharge for late filing of a Declaration.

Please credit any overpayment or charge any additional fees due in connection with this communication to Deposit Account No. 04-0838. A copy of this Submission is enclosed herewith for deposit account charging purposes.

Respectfully submitted,

COLEMAN SUDOL SAPONE, P.C.

Dated: July 12, 2004

By: R. Neil Sudol  
R. Neil Sudol  
Reg. No. 31,669

714 Colorado Avenue  
Bridgeport, CT 06605-1601  
(203) 366-3560

RNS L25-002  
10/783,541



## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I (we) hereby declare that:

My residence, post office address and citizenship are the same as stated below next to my name.

I (we) believe I am (we are) an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"Magnet Sweep"

the specification of which (check one)

<input type="checkbox"/>	is attached hereto.		
<input checked="" type="checkbox"/>	was filed on	February 20, 2004	as Application Serial No.
	and was amended on		(if applicable).
<input type="checkbox"/>	was filed as PCT International application No.		on
	and was amended on		(if applicable).

I (we) hereby state that I (we) have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I (we) acknowledge the duty to disclose information known to me to be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I (we) hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number		Country		Filing Date		Priority Claimed	
						<input type="checkbox"/>	<input type="checkbox"/>

I (we) hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Number		Filing Date (mm/dd/yyyy)
60/448,751		02/20/2003

I (we) hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date (d/m/y)	Status (Patented, Pending, Abandoned)

I (we) hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Henry D. Coleman, Reg. No. 32,559; R. Neil Sudol, Reg. No. 31,669;  
William J. Sapone, Reg. No. 32,518

all of  
COLEMAN SUDOL SAPONE, P.C.  
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Direct all telephone calls to:	R. Neil Sudol	at Telephone No. (203) 366-3560
Address all correspondence to:	R. Neil Sudol	at  <b>COLEMAN SUDOL SAPONE, P.C.</b> <b>714 Colorado Avenue</b> <b>Bridgeport, CT 06605-1601</b> <b>United States of America</b>

I (we) hereby declare that all statements made herein of my (our) own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: . . .	William J. PESTONE
Residence: . . . . .	164 N. Main Street, Cohasset, MA 02025
Post Office Address: . . . . .	Same as Above
Country of Citizenship: . . . .	United States of America
<u>7/6/84</u>	
Date	Inventor's Signature

Full name of second inventor: . . .	
Residence: . . . . .	
Post Office Address: . . . . .	
Country of Citizenship: . . . .	
Date	Inventor's Signature

Full name of third inventor: . . .	
Residence: . . . . .	
Post Office Address: . . . . .	
Country of Citizenship: . . . .	
Date	Inventor's Signature

Full name of fourth inventor: . . .	
Residence: . . . . .	
Post Office Address: . . . . .	
Country of Citizenship: . . . .	
Date	Inventor's Signature